

**DURHAM, NORTH CAROLINA
MONDAY, APRIL 2, 2018
7:00 P.M.**

The Durham City Council met in a regular session on the above date and time in the Council Chambers at 101 City Hall Plaza with the following members present: Mayor Steve Schewel, Mayor Pro Tempore Jillian Johnson and Council Members Vernetta Alston, Javiera Caballero, DeDreana Freeman, Mark-Anthony Middleton and Charlie Reece. Absent: None.

Also Present: City Manager Thomas J. Bonfield, City Attorney Patrick Baker, City Clerk Diana Schrieber and Sr. Executive Assistant LaVerne Brooks.

Mayor Schewel called the meeting to order welcomed everyone in attendance and called for a moment of silent meditation.

Council Member Reece deferred to Boy's Scout Troop #411 to lead the Pledge of Allegiance to the Flag.

[CEREMONIAL ITEMS]

Mayor Pro Tempore Johnson read into the record a Proclamation for "National Fair Housing Month" which was presented to James Davis, Jr., Human Relations Manager for the City of Durham.

Mr. Davis thanked Mayor Pro Tempore Johnson, then followed with a poem with its theme suggesting that we all come together to build a City that eliminates discrimination and where we all can live free.

Mayor Schewel read into the record the Proclamation for "Mayors Challenge for Water Conservation" which was presented to James Lim, Water Efficiency and Conservation Program Administrator.

Mr. Lim thanked Mayor Steve Schewel and Council for the Proclamation in recognition of April 2, 2018 as Water Conservation Challenge. Mr. Lim encouraged residents to accept the Water Challenge and to be more water efficient.

Council Member Freeman read into the record the Proclamation for "National Service Recognition Day Proclamation" which was presented to Delphine Sellers Sr. Corps, Calleen Herbert, Program Director, Eagle Corps at NCCU, Michael Shiftlett, Advisory Council Member, Retired and Senior Volunteer Program of Durham County (Durham Technical Community College has sponsored for 41 years).

Ms. Calleen Herbert stated there are eighteen corps in the City of Durham and at forty locations with ninety-one members serving at any one of the locations; and she expressed appreciation for the Proclamation.

Ms. Sellars thanked Mayor Steve Schewel and Council for the Proclamation and stated she was honored to speak for seniors; she and other seniors enjoyed being involved with the community because involvement kept them vibrant and active.

Mayor Schewel read into the record the Proclamation for National Community Development Week which was presented to Reginald J. Johnson Director, Department of Community Development. The Citizens' Advisory Board's members were introduced for the audience.

Director Johnson stated the CAC was very important to the City of Durham and he wanted to thank everyone for their services and support.

Mayor Schewel read into the record a Proclamation for National Crime Victims' Rights Week which was presented to Delma Allen, the Assistant Police Chief.

The members of the Victims Service Unit introduced themselves.

Mr. Allen thanked Mayor Steve Schewel and Council for the Proclamation; stated this was an opportunity to conduct more education on the rights of victims; expressed the need for victims to be aware of their rights; and thanked Council for the proclamation.

[ANNOUNCEMENTS BY COUNCIL]

The Mayor asked if there were any announcements from the Council.

Council Member Freeman announced that the East Durham Children's Initiative would host five Americorps members.

[PRIORITY ITEMS FROM THE CITY MANAGER, CITY ATTORNEY AND CITY CLERK]

There were no priority items from the City Manager, City Attorney and City Clerk.

[CONSENT AGENDA]

Mayor Schewel read each agenda item into the record and explained that the Consent Agenda may be approved with a single vote by Council.

MOTION by Council Member Middleton, seconded by Council Member Reece, to approve the Consent Agenda was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

SUBJECT: DURHAM CULTURAL ADVISORY BOARD – APPOINTMENTS

MOTION by Council Member Middleton, seconded by Council Member Reece, to reappoint Frank B. Konhaus and Cynthia L. Mebane- Watts (terms to expire June 30, 2018); Daniel Ellison, Chris Ogden and Mary L. Rollins (terms to expire June 30, 2019) and Margaret J. DeMott, Angela Lee and Katie Spencer (terms to expire June 30, 2020) and to appoint Joshua Gunn, Zena K. Howard, Tom Jaynes, Cynthia M. Penn-Halal and Rachel S. Wexler (terms to expire June 30, 2021) to the Durham Cultural Advisory Board was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

SUBJECT: FY18-19 BUDGET DEVELOPMENT GUIDELINES

MOTION by Council Member Middleton, seconded by Council Member Reece, to adopt FY18-19 Budget Development Guidelines was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

SUBJECT: U-3308 NC 55 (ALSTON AVENUE) WIDENING SUPPLEMENTAL AGREEMENT

MOTION by Council Member Middleton, seconded by Council Member Reece, to authorize the City Manager to execute the U-3308 NC 55 (Alston Avenue) Widening Supplemental Agreement with the N.C. Department of Transportation; and

To adopt an Ordinance amending the General Capital Improvement Project Ordinance, Fiscal Year 2017-2018, as amended, the same being Ordinance #15131, for the purpose of adding \$13,899.00 for Alston Avenue Widening Sidewalks (LC129) was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

ORDINANCE # 15275

SUBJECT: FEBRUARY 2018 BID REPORT

MOTION by Council Member Middleton, seconded by Council Member Reece, to receive a report on the bids that was acted upon by the City Manager in February 2018 was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

To: Thomas J. Bonfield, City Manager
Through: Wanda S. Page, Deputy City Manager
From: David Boyd, Finance Director
Jonathan Hawley, Purchasing Supervisor
Subject: Bid Report – February 2018

Recommendation:

To receive a report on the bids that was acted upon by the City Manager in February 2018.

Apparatus, Supplies, Materials, Equipment, Construction and Repair work:

1. Bid: Replacement Vehicles

Purpose of Bid:

To provide the Fleet Management Department with three (3) replacement 2018 Ford Fusion Hybrid vehicles for the Fire Department.

Comments: 3 units priced @ \$22,916.98 each

Opened: 1/9/2018

Bidders:

Asheville Ford Lincoln
Asheville, NC
Capital Ford, Inc.
Raleigh, NC

\$68,750.94

\$72,147.00

*Award based on: ☒ Low Bid ☐ Other (See Comments)

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	11	9	2
Professional	27	19	8
Technical	32	32	0
Clerical	8	1	7
Labor	7	7	0
Total	85	68	17

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	9	0	0	0	0
Professional	18	1	0	0	0
Technical	27	2	3	0	0
Clerical	1	0	0	0	0
Labor	5	1	1	0	0
Total	60	4	4	0	0

UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	2	0	0	0	0
Professional	7	0	1	0	0
Technical	0	0	0	0	0
Clerical	5	1	1	0	0
Labor	0	0	0	0	0
Total	14	1	2	0	0

2. Bid: Replacement Trucks

Purpose of Bid:

To provide the Fleet Management Department with two (2) replacement 2018 Ford F550 regular cab pickup trucks with a specialized utility body for the Transportation Department.

Comments:

Priced in accordance with North Carolina State Term Contract #070A. 2 trucks priced @ \$39,900.67

Opened:

1/31/2018

Bidders:

Piedmont Truck Center, Inc.
Greensboro, NC

\$79,801.34

*Award based on: ☐ Low Bid

☒ Other (See Comments)

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	9	8	1
Professional	9	9	0
Technical	55	55	0
Clerical	4	0	4
Labor	5	5	0

Total	82	77	5
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UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	7	0	0	0	1
Professional	9	0	0	0	0
Technical	50	1	4	0	0
Clerical	0	0	0	0	0
Labor	4	1	0	0	0
Total	70	2	4	0	1

UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	1	0	0	0	0
Professional	0	0	0	0	0
Technical	0	0	0	0	0
Clerical	4	0	0	0	0
Labor	0	0	0	0	0
Total	5	0	0	0	0

Bid: Replacement Dump Truck
Purpose of Bid:

Comments: To provide the Fleet Management Department with one (1) replacement 2019 Mack GU713 dump truck with snow removal for the Water Management Department-Distribution Collection Division.
Priced in accordance with North Carolina State DOT contract #065C.

Opened: 2/8/2017

Bidders: Transource, Inc. \$146,767.26
Kernersville, NC

*Award based on: ☐ Low Bid ☒ Other (See Comments)

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	44	40	4
Professional	4	3	1
Technical	163	159	4
Clerical	33	10	23
Labor	37	35	2
Total	281	247	34

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	39	0	0	0	1
Professional	3	0	0	0	0
Technical	140	12	6	0	1
Clerical	9	0	1	0	0
Labor	26	6	1	0	2
Total	217	18	8	0	4

UBE/SLBE REQUIREMENTS - FEMALES					
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Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	3	0	0	0	1
Professional	1	0	0	0	0
Technical	4	0	0	0	0
Clerical	21	2	0	0	0
Labor	2	0	0	0	0
Total	31	2	0	0	1

3. Bid: Replacement Sports Utility Vehicle

Purpose of Bid:

To provide the Fleet Management Department with one (1) replacement 2018 Nissan Frontier King Cab 4X2 sports utility vehicle for the Water Management Department-Cross Connection Division.

Comments: Priced in accordance with the North Carolina Sheriff's association co-operative agreement.

Opened: 2/9/2018

Bidders: Modern Nissan LLC \$20,037.00
Winston Salem, NC

*Award based on: ☐ Low Bid ☒ Other (See Comments)

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	0	0	0
Professional	297	253	44
Technical	4	4	0
Clerical	139	16	123
Labor	1061	575	46
Total	1061	848	213

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	0	0	0	0	0
Professional	199	39	10	1	4
Technical	4	0	0	0	0
Clerical	13	1	1	1	0
Labor	535	10	15	10	5
Total	751	50	26	12	9

UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	0	0	0	0	0
Professional	39	2	2	0	1
Technical	0	0	0	0	0
Clerical	102	14	2	3	2
Labor	41	3	0	0	2
Total	182	19	4	3	5

4. Bid: Replacement All-Terrain Vehicle

Purpose of Bid:

To provide the Fleet Management Department with one (1) replacement Polaris Ranger XP900 all-terrain vehicle for the Water Management Department-Lift Station Maintenance Division.

Comments:

Priced in accordance with North Carolina State Contract #515B

Opened:

2/16/2018

Bidders: Quality Mower and Saw Equipment, Inc.
Raleigh, NC

\$19,995.64

*Award based on: ☐ Low Bid ☒ Other (See Comments)

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	0	0	0
Professional	2	1	1
Technical	4	4	0
Clerical	3	3	0
Labor	2	2	0
Total	11	10	1

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	0	0	0	0	0
Professional	1	0	0	0	0
Technical	4	0	0	0	0
Clerical	3	0	0	0	0
Labor	2	0	0	0	0
Total	10	0	0	0	0

UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	0	0	0	0	0
Professional	1	0	0	0	0

Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	0	0	0	0	0
Total	1	0	0	0	0

5. Replacement Trucks

Purpose of Bid:

To provide the Fleet Management Department with three (3) replacement 2018 Ford F-250 trucks with Reading service body for Water Management, Lift Station Maintenance Division.

Comments: Priced in accordance with North Carolina State Contract #070A Item #1 and #2.

1 Ford F-250 truck (Regular Cab) priced @ \$36,338.62

1 Ford F-250 truck (Crew Cab) priced @ \$40,982.15

1 Ford F-250 truck (Super Cab) priced @ \$39,723.05

Opened: 2/26/2018

Bidders:

Piedmont Truck Center, Inc.
Greensboro, NC

\$117,043.82

*Award based on: ☐ Low Bid ☒ Other (See Comments)

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	9	8	1
Professional	9	9	0
Technical	55	55	0
Clerical	4	0	4
Labor	5	5	0
Total	82	77	5

UBE/SLBE REQUIREMENTS - MALES

Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	7	0	0	0	1
Professional	9	0	0	0	0
Technical	50	1	4	0	0
Clerical	0	0	0	0	0
Labor	4	1	0	0	0
Total	70	2	4	0	1

UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	1	0	0	0	0
Professional	0	0	0	0	0
Technical	0	0	0	0	0
Clerical	4	0	0	0	0
Labor	0	0	0	0	0
Total	5	0	0	0	0

SUBJECT: FUND BALANCE POLICY FOR GENERAL FUND AND OPERATING RESERVE REQUIREMENT FOR WATER AND SEWER FUND

MOTION by Council Member Middleton, seconded by Council Member Reece, to adopt a Resolution superseding Resolution #9789, adopting a policy specifying the level of fund balance in the General Fund and level of operating reserves in the Water and Sewer Fund was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

RESOLUTION # 10082

**SUBJECT: CELL TOWER LEASE AND LICENSE AGREEMENT WITH SPRINTCOM
INC. FOR 801 ELLIS ROAD**

MOTION by Council Member Middleton, seconded by Council Member Reece, to authorize the City Manager to execute a Cell Tower Lease and License Agreement with SprintCom, Inc. for a 5-year term with a 5-year option to renew to attach an antenna to the City-owned water tank located at 801 Ellis Road, Durham, NC, Parcel ID 156779; and

To authorize the City Manager to execute a Memorandum of Lease and License Agreement was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: NEW LEASE AT 807 E. MAIN STREET (GOLDEN BELT) FOR CITY OF
DURHAM DEPARTMENTS COMMUNITY DEVELOPMENT AND
NEIGHBORHOOD IMPROVEMENT SERVICES WITH LANDLORD
LRC-GB, LLC**

MOTION by Council Member Middleton, seconded by Council Member Reece, to authorize the City Manager to execute a lease agreement with LRC-GB, LLC for approximately 11,610 square feet of Class A commercial office space at 807 E. Main Street (Golden Belt) in Suite 2-200 for the Community Development Department; and

To authorize the City Manager to execute the Lease agreement with LRC-GB, LLC for approximately 11,354 square feet of Class A commercial office space at 807 E. Main Street (Golden Belt) 2-300 for the Neighborhood Improvement Services Department was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

SUBJECT: STREET AND INFRASTRUCTURE ACCEPTANCES

MOTION by Council Member Middleton, seconded by Council Member Reece, to accept the streets and infrastructures (as listed in the attached memo) in portions of Jordan at South point, Four Seasons at Renaissance, Hills at Southpoint, Del Webb Carolina Arbors, Winsford at the Park, Ellis Road Apartments, Fairway Townhomes, Farrington Road Water Main Extension, Federal Express Warehouse Facility, Hendrick Automotive at South Point, Liberty Warehouse, Sheetz Auto park Center, Valley Springs, Woodstone II @ Croasdaile Farm, Alley #23, and Little Creek Road for Maintenance by the City of Durham was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

Four Seasons at Renaissance (excluding sewer)

- 1) Shakespeare Drive – from the west curb line of Page Road west to the centerline of Hamlet Place (2,550'); and
- 2) Hamlet Place – from the centerline of Shakespeare Drive north through the cul-de-sac (183'); and,
- 3) Hamlet Pace – from the centerline of Shakespeare Drive south through the cul-de-sac (320'); and

- 4) Crown Parkway – from the centerline of Shakespeare Drive southeast to the end of construction @ STA 10+15 (240'); and
- 5) Crown Parkway – from the centerline of Shakespeare Drive northwest to the end of construction @ STA 19+43.32 (688'); and
- 6) Old Castle Drive – from the centerline of Shakespeare Drive northeast to the centerline of Princess Place (895'); and
- 7) Excalibur Drive – from the centerline of Court Jester Way east through the cul-de-sac (1,273'); and
- 8) English Place – from the centerline of Old Castle Drive north to the centerline of Princess Place (417'); and
- 9) Princess Place – from the centerline of English Place west through the cul-de-sac (296'); and
- 10) Princess Place – from the centerline of English Place east through the cul-de-sac (514'); and
- 11) Court Jester Way – from the centerline of Shakespeare Drive northwest through the cul-de-sac (586'); and
- 12) Gallery Lane – from the centerline of Shakespeare Drive south to the end of construction @ STA 10+00 (589'); and
- 13) King Lear Lane – from the centerline of Gallery Lane west then northwest through the cul-de-sac (1,157'); and
- 14) Winifred Drive – from the centerline of Shakespeare Drive to the centerline of Crown Parkway (384'); and
- 15) King Arthur Court – from the centerline of Excalibur Drive north then west through the cul-de-sac (561'); and
- 16) Winifred Alley (Alley #42) – from the centerline of Shakespeare Drive northeast to the centerline of Crown Parkway (433'); and
- 17) Hamlet Alley (Alley #43) – from the centerline of Hamlet Place east then northeast to the centerline of Shakespeare Drive (377'); and
- 18) Shakespeare Alley (Alley #44) – from the centerline of Crown Parkway northeast to the centerline of King Lear Lane (189').

Hills at Southpoint -Phases 3A, 4A, 4B, and 5

- 1) Swift Creek Crossing – from the east curb line of Fayetteville Road east and then looping back to the centerline of Swift Creek Crossing @ STA 63+29.61 (5,299'); and
- 2) Cozy Hollow Lane – from the centerline of Swift Creek Crossing south to the end of construction @ STA 11+70.36 (170'); and
- 3) Nordstrom Drive – from the centerline of Swift Creek Crossing south to the end of construction @ STA 11+56.25 (156'); and
- 4) Glorious Sunset Lane – from the centerline of Swift Creek Crossing east to the end of construction @ STA 12+44.03 (244'); and
- 5) Hite Bluffs Court – from the centerline of Swift Creek Crossing northeast to the end of construction @ STA 11+65.48 (165').

Hills at Southpoint - Phases 3A, 4A, 4B, and 5

Additional Infrastructure

- 1) Sanitary Sewer Outfall "E" – from the sanitary sewer outfall manhole @ STA 10+00 east to the sanitary sewer manhole in Swift Creek Crossing (536').

Del Webb Carolina Arbors- Phase 2B

- 1) Carolina Arbors Drive – from the centerline of Del Webb Arbors Drive west to the centerline of Daniel Post Court (1,262'); and

- 2) Bloomsbury Manor Drive - from the centerline of Del Webb Arbors Drive southwest then east to the centerline of Daniel Post Court (2,496'); and
- 3) Burlington Mill Court - from the centerline of Bloomsbury Manor Drive south through the cul-de-sac (785'); and
- 4) Virginia Crest Way - from the centerline of Bloomsbury Manor Drive southeast to the centerline of Carolina Arbors Drive (709'); and
- 5) Henry Mill Place - from the centerline of Bloomsbury Manor Drive southeast to the centerline of Carolina Arbors Drive (665'); and
- 6) Caswell Ridge Lane - from the centerline of Bloomsbury Manor Drive southeast to the centerline of Carolina Arbors Drive (578'); and
- 7) Daniel Post Court - from the centerline of Bloomsbury Manor Drive south through the cul-de-sac (837'); and

Del Webb Carolina Arbors - Phase 2B

Additional Infrastructure

- 1) Sanitary Sewer Outfall – from the end of phase 2B construction @ STA 10+49.49 south to the existing manhole @ STA 35+41.04 (2,492'); and
- 2) Sanitary Sewer Outfall – from back of curb @ Bloomsbury Manor Drive southwest to the manhole @ STA 2+82.80 (232')

Winsford at the Park - Phase 1B

- 1) Torpoint Road – from the end of phase 1A construction north to the end of phase 1A construction (539'); and
- 2) Churment Court – from the end of phase 1B construction east through the cul-de-sac (586')

Winsford at the Park - Phase 1B

Additional Infrastructure

- 1) Sanitary Sewer Outfall – from the existing Sanitary Sewer Outfall northwest to the back of curb at Churment Court (296').

Ellis Road Apartments (AKA – Ellis Crossing) – Phase 1

Additional Infrastructure

- 1) Sanitary Sewer Outfall – from the existing sanitary sewer outfall @ NC Hwy 147 east to the end of construction @ STA 9+99.83 (3,319').

Fairway Townhomes

Additional Infrastructure

- 1) Sanitary Sewer Outfall – from the sanitary sewer manhole in Front Street west to STA 1+65.79 (67'); and
- 2) Sanitary Sewer Outfall – from the sanitary sewer manhole located at STA 1+82.79 north then west to the end of construction @ STA 0+95.65 (1,259').

Farrington Road

Water Main Extension

- 1) Farrington Road Water Main – from the existing 12" water main south of Culp Hill Drive @ STA 0+00 south to the existing 12" water main north of Cleora Drive @ STA 38+47.24 (3,847').

Federal Express Warehouse Facility

Additional Infrastructure

- 1) Water Main – from the existing 12" water main @ STA 1+00 north on South Alston Avenue to the end of construction @ STA 4+13 (313').

Hendrick Automotive at Southpoint

Additional Infrastructure

- 1) Sanitary Sewer Outfall – from the southern rights-of-way line of Kentington Drive @ STA 10+51 south, then southwest, then south again to the existing sanitary sewer manhole at STA 0+00 (1,051).

Liberty Warehouse

Additional Infrastructure

- 1) Foster Street Sewer Main – from the west property line of Liberty Warehouse west then south to the existing sanitary sewer manhole in Foster Street (58’); and
- 2) West Corporation Street Sewer Main #1 – from the north property line of Liberty Street Warehouse north to the existing sanitary sewer manhole in West Corporation Street (22’); and
- 3) West Corporation Street Sewer Main #2 – from the north property line of Liberty Warehouse north to the existing sanitary sewer manhole in West Corporation Street (23’).

Sheetz Autopark Center

Additional Infrastructure

- 1) Sanitary Sewer Outfall – from the beginning of construction @ STA 15+29 north to the existing sanitary sewer manhole @ STA 10+00 (529’).

Valley Springs

Additional Infrastructure

- 1) Sanitary Sewer Outfall – from the existing sanitary sewer outfall manhole @ STA 7+30.23 east to the end of construction @ STA 0+40.98 (689’).

Woodstone II @ Croasdaile Farm

Additional Infrastructure

- 1) Sanitary Sewer Outfall “A” – from the existing sanitary sewer outfall @ STA 1+00 southeast then northeast to the end of construction @ STA 7+13 (613’).

Alley #23

Additional Infrastructure

- 1) Sanitary Sewer Main – from the existing sanitary sewer manhole in Foster Street east to the end of construction @ STA 1+10.10 (110’).

Little Creek Road

Street Limit Correction (Added Limits)

- 1) Little Creek Road – from the centerline of Little Creek Road around the semi-circle to the centerline of Little Creek Road (435’).

**SUBJECT: CONTRACT SWDR-2018-01, STORM WATER CONTROL MEASURES
RENOVATION AND REHABILITATION**

MOTION by Council Member Middleton, seconded by Council Member Reece, to authorize the City Manager to execute contract SWDR-2018-01, Stormwater Control Measures Renovation and Rehabilitation, with Backwater Environmental, Division of the Osborne Company of North Carolina, Inc. in the amount of \$422,580.00; and

To authorize the City Manager to Negotiate change orders for Contract SWDR-2018-01 provided that the total project cost does not exceed \$507,096 was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: SUPPLEMENTAL AGREEMENT NO. 4 FOR NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION NC-147 PEDESTRIAN BRIDGE
(TIP# U-4445)**

MOTION by Council Member Middleton, seconded by Council Member Reece, to authorize the City Manager to execute Supplemental Agreement No. 4 with North Carolina Department of Transportation to Clarify the roles of the City and NCDOT for the maintenance of the bridge lighting (TIP# U-4445) was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: CAPITAL IMPROVEMENT PROJECT (CIP) ORDINANCE AMENDMENT
FOR CARVER STREET EXTENSION PROJECT (ST-257)**

MOTION by Council Member Middleton, seconded by Council Member Reece, to adopt an Ordinance amending the General Capital Improvement Project Ordinance, Fiscal Year 2017-18, as amended, the same being Ordinance #15131 for the purpose of increasing funding in the amount of \$185,000.00 for the Carver Street Extension Project was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

ORDINANCE # 15276

**SUBJECT: RECYCLING SERVICES FOR ELECTRONIC EQUIPMENT AGREEMENT
WITH POWERHOUSE RECYCLING, INC.**

MOTION by Council Member Middleton, seconded by Council Member Reece, to authorize the City Manager to execute a contract with Powerhouse Recycling Inc. for payment up to \$270,000.00, for the purpose of collecting, transporting, processing and marketing electronic waste collected at the City of Durham's Convenience Center, under the North Carolina Statewide Term Contract 926C was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: YARD WASTE FACILITY OPERATIONS CONTRACT WITH ATLAS
ORGANICS, LLC**

MOTION by Council Member Middleton, seconded by Council Member Reece, to authorize the City Manager to execute a contract with Atlas Organics, LLC to provide the City with grinding and composting services at the yard waste facility, at a cost of \$21.50 per ton for a period of five years with an option to renew the contract up to three additional two-year terms for a total of eleven years, in the amount of \$322,500.00 was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro-Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: RESOLUTION IN SUPPORT OF PUBLIC EMPLOYEE COLLECTION
BARGAINING RIGHTS AND RIGHTS FOR EMPLOYEE
ORGANIZATIONS**

MOTION by Council Member Middleton, seconded by Council Member Reece, to adopt a Resolution in Support of Public Employee Collective Bargaining Rights and Rights for Employee Organizations was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro-Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

RESOLUTION # 10083

The City Council disposed of the following agenda items at the March 22, 2018 Work Session:

1. Approval of Minutes
(This item was referred back to the City Clerk's Office)
9. Acceptance of the 2018 Meet Me at the Park Grant from the National Park and Recreation Association and Disney, ABC and ESPN
(This item was approved at the 3-22-18 Work Session)
16. Update on Dedication Housing Fund Application Process
(An update was received at the 03-22-18 Work Session)
17. Jackson/Pettigrew Street Development Update
(An update was received at the 03-22-18 Work Session)
19. Gwyn Silver
(Comments were received at the 03-22-18 Work Session)

[GENERAL BUSINESS AGENDA – PUBLIC HEARINGS]

**SUBJECT: RESOLUTION APPROVING AN INSTALLMENT FINANCE CONTRACT
AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS**

Mayor Schewel declared the public hearing open.

Being no speakers to the item, Mayor Schewel declared the public hearing closed.

MOTION by Council Member Middleton, seconded by Council Member Reece, to conduct a public hearing to receive comments on an Installment Financing Contract and projects to be financed and refinanced therewith, all related to the proposed issuance of not to exceed \$150,000,000.00 Limited Obligation Bonds, Series 2018 (Tax-Exempt) of the City of Durham, North Carolina; and

To adopt a resolution authorizing the issuance of Limited Obligation Bonds, Series 2018 (Tax-Exempt) of the City of Durham, North Carolina; in an amount not to exceed \$150,000,000.00 was approved at 7:29 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro-Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

RESOLUTION # 10084

[SUPPLEMENTAL ITEM]

SUBJECT: 2017 FOURTH QUARTER/ANNUAL CRIME REPORT PRESENTATION

Council received a presentation on the 2017 Fourth Quarter/Annual Crime Report.

Police Chief of the Durham Police Department Cerelyn "CJ" Davis gave a presentation and introduced her executive team from the Durham Police Department: Deputy Chief Anthony Marsh Sr. - over the administrative Investigative Services; Deputy Chief Todd Rose over Field Operations; Assistant Chief Ed Sarvis - over Administrative Services; Assistant Chief Terrence Sembly - over Patrol Services; Assistant Chief Kevin Cates over Investigative Services; Analytical Services Manager Jason Sheets; Public Information Manager Will Glenn and Assistant Chief Delma Allen - Community Services.

Chief Davis stated that she will be discussing the Annual Crime Report along with the Fourth Quarter. Part 1 Property and Violent Crime with crime up by 2 percent while burglaries were at a 20- year low. Homicides were down significantly from the prior year and a decrease in homicides, robberies and burglaries in 2017. The Part 1 Property crime which is burglary, Larceny and Motor Vehicle theft, the property crime was up by 3 percent in 2017; burglaries were at a 20-year low but an increase in larcenies and motor vehicle thefts.

There were approximately 9,311 Priority 1 Calls for Service in 2017 which was a slight decrease from 2016.

Target response time 5.8 minutes, average response time 6.2 minutes better than 2016, target under 5 min response time were a 57%, less than 5 minutes response time was 52.1% better than 2016.

Chief Davis continued that 95% of sworn positions in the Durham Police Department are filled. 290 potential recruits at the end of 2017, working to add pre hiring recruits to stay here instead of taking other positions elsewhere.

Mayor Schewel stated there were speakers to the item.

Chris Tiffany, Durham resident, spoke about excessive force from police to pedestrians and students from Durham Tech and NCCU were racial profiled and they were prevented to speak and report it at City council meetings. Mr. Tiffany continued that the use of force against pedestrians is still not recommended to be documented and complaints are obstructed from top to bottom. Don't blame bad cops for bad management.

Jason Sheet, Analytical Services Manager, stated they had 11,578 total traffic stops in the City of Durham that's a 22% decline than in the previous year. 58% of the drivers in traffic stops were black and 39% were white and 29% were Hispanic.

Mr. Sheets continued when the traffic stops decrease there was a corresponding decrease in searches.

Council Member Reece requested a copy of the traffic data presentation; asked if there a way to explain why there was more contraband and searches performed on African American drivers than White drivers.

Mr. Sheets answered that in 2017 searches with black drivers occurred at a rate 2.80 times that of white drivers; and the total searches with black drivers dropped from 650 in 2016 to 390 in 2017, equating to a 40% decrease.

Chief Davis responded that after scrubbing the data, explained the rationale being associated with data and problems within certain geographic areas; addressed probable cause stops being up as compared to historical data that was interpreted as her officers making more quality stops based on probable cause; and emphasized that the ratio or the numbers would require more analysis to determine if there were any other problems or disparities pertaining to officer behavior.

Council Member Freeman was wondering if the traffic stop data included Sheriff's Department statistics in the presented data.

Mr. Sheets responded, 'no'.

Mayor Schewel requested Mr. Sheets display the slide reflecting the overall number of searches by year; stated in 2010 there were 32,000 stops, in 2017, there were 11,000 stops; interpreted as there being a third as many stops in 2017. Mayor Schewel requested the slide reflecting total searches be displayed; in 2013, there were 1300 searches and in 2017, there were 400 searches; explained that when Durham instituted the written consent search, the policy was controversial, however, now the level had fallen below that of 2013; recognized his colleagues, Council Members Middleton and Reece for their advocacy for written consent prior to being seated on Council; noted that Durham was a leader in advocating for written consent and the policy was serving the City well and thanked the Police Department for their efforts.

Council Member Middleton thanked the Mayor for his recognitions; and said he would like to thank the others of hundreds of contributors, including the FADE Coalition, helping the plan succeed; expressed his concerns seeing the spike in probable cause stops after the written consent policy went into effect and was relieved to see the numbers coming down. Council Member Middleton continued that there was more work to be done and admitted that Police cultural change was not easy, but was heartened by the improvements.

Council Member Reece referenced equipment and regulatory violations and asked the Chief if a different process could be conducted for those types of traffic stops such as finding other ways to notify drivers of these types of violations; suggested officers note the type of violation, license number and then have a follow-up process allowing the driver to be notified of the violation; expressed concerns about equipment stops of persons who were undocumented and that it was 'a big deal' and if there were ways to reduce the number of interactions over something so minor, it was encouraged; continued that the statistics were amazing and showed there was a culture shift underway and successful.

Chief Davis responded that officers used their discretion in writing citations and typically officers stopped drivers to inform them of equipment type violations; explained the culture change focused on public safety; was willing to look at other agencies' best practices and to bring the practices to Durham; commended her command staff and acknowledged that their efforts were responsible for the changes being overseen.

Mayor Schewel complimented Mr. Sheets' work on the traffic stop data.

Council Member Alston referenced the Mental Health Training and asked if it one time training or would it be continually available.

Chief Davis responded that it was ongoing training and that the goal was to have all the officers crisis management certified.

Council Member Alston acknowledged that the officers were emphasizing the misdemeanor diversion program, the numbers were appreciated, complimented the diversion program and had a positive impact in the community.

Council Member Middleton asked Chief Davis for the explanation behind the decrease in citizen complaints from 2016 to 2017.

Chief Davis responded that she thought the increase in mass shooting incidents in America had caused the officers to be more observant and aware of the circumstances requiring the use of force.

Mayor Schewel commented on the Crime Report statistics; stated that the Police Department was a community-friendly department and expressed support for the direction the Department was headed and thanked Chief Davis for her efforts.

The item was for presentation only; no action was taken.

There being no further business to come before Council, the meeting was adjourned at 8:41 p.m.

Laverne V. Brooks
Senior Executive Assistant

Dianalynn Schreiber, CMC
City Clerk